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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/470,039	12/22/1999	RICHARD CORNELIUS	AND1P392	5692

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EXAMINER

JAKETIC, BRYAN J

ART UNIT	PAPER NUMBER
3627	5

DATE MAILED: 08/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/470,039	CORNELIUS ET AL.
Examiner	Art Unit	
	Bryan Jaketic	3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 06 March 2002 .

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-18 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-18 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 22 December 1999 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)
3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6) Other: _____

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

On p. 40, line 12, "Figures v23 and 21" should presumably be --Figures 23, 24A, and 24B-- as shown in the drawings;

On p. 42, line 10, "(POPI) v2300" should be --(POPI) 2400-- as shown in the drawings;

On p. 42, line 23, "pushbutton v2302,v2304" should be --pushbutton 2402,2404-- as shown in the drawings.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily

published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1, 3, 6, 7, 9, 12, 13, 15, and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Camp et al. Camp et al disclose a method and system for initiation of an agreement utilizing a network, comprising the steps of allowing a buyer and seller to negotiate terms of trade, wherein the buyer transmits a form indicating the terms of the trade and an identifier (col. 7, line 45 through col. 8, line 26). The bank then authenticates the identity of the buyer (col. 7, lines 45-53). The form is then sent to the bank for assessing the credit of the buyer, and is then forwarded to the seller along with the assessment (col. 8, lines 47-67). The seller then digitally signs the form, and it is received by the buyer, serving as notice that the agreement is initiated (col. 9, lines 47-51). The form is a combined purchase order proforma invoice (see col. 8, lines 15-27 and col. 9, lines 47-51).

Camp et al do not disclose a computer program embodied on a computer readable medium. However, the system of Camp is automated, and it is inherent that the system there uses a computer program embodied on a computer readable medium.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 2, 4, 5, 8, 10, 11, 14, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Camp et al. Camp et al disclose all of the limitations described in paragraph 3 of this Office Action. Camp et al do not disclose the use of a wide area network. However, wide area networks are common in the art, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a wide area network with the invention of Camp et al, because a wide area network is a convenient means of communication.

Camp et al do not disclose the use of a password. However, it is common in the art to require a user to use a password to prove his identification. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the step of requiring a user to submit a password in the invention of Camp et al in order to verify the user's identity.

Camp et al do not disclose the step of verifying the credit of the seller. However, it is common in the art for a consumer to check the reputation of an unknown merchant.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the step of verifying the credit of the seller in the invention of Camp et al to appease the buyer.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Rosen, Lewis et al, Boesch et al, Biffar, Talati et al, Chang, and Sirbu all disclose the use of digital signatures in an e-commerce system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan Jaketic whose telephone number is (703) 308-0134. The examiner can normally be reached on Monday through Friday (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703) 308-5183. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

bj
July 31, 2002



8/1/02